

THIS OPINION WAS NOT WRITTEN FOR PUBLICATION

The opinion in support of the decision being entered today (1) was not written for publication in a law journal and (2) is not binding precedent of the Board.

Paper No. 18

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE BOARD OF PATENT APPEALS
AND INTERFERENCES

Ex parte HOWARD J. GLASER

Appeal No. 96-2517
Application 08/425,309¹

ON BRIEF

Before KRASS, CARMICHAEL and RUGGIERO, Administrative Patent Judges.

KRASS, Administrative Patent Judge.

DECISION ON APPEAL

This is a decision on appeal from the final rejection of claims 1 through 54, all the claims pending in the application.

¹ Application for patent filed April 17, 1995. According to appellant, this application is a continuation of Application 08/165,772, filed December 13, 1993.

The invention is directed to workstation conferencing. More particularly, each one of multiple workstation users is permitted to control pointers during a workstation conference while each pointer is clearly associated with its respective user.

Representative independent claim 41 is reproduced as follows:

41. A method of maintaining conference communication by a first workstation participating with respective other workstations of a network during a user conference, wherein each workstation includes a display device on which is displayed a conference window with a pointer icon and a mouse pointer device that includes a mouse button and controls movement of the pointer icon as the first workstation mouse pointer device is moved, the method comprising the steps of:

generating a signal representation of each conference participant workstation user for display on the first workstation and respective other workstation display devices;

displaying the conference participant representations in the conference window of the first workstation and respective other workstation display devices;

determining when one of the other respective conference participants has pressed the mouse button of that participant's workstation mouse device;

determining the display device pointer icon location of the button pressing conference participant; and

displaying a pointer arrow on the display device of the first workstation from the display device representation of the button pressing conference participant to the determined display pointer icon location of the button pressing conference participant.

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The examiner relies on the following references:

Stefik et al. (Stefik)	4,974,173	Nov. 27, 1990
Smith et al. (Smith)	5,107,443	Apr. 21, 1992

Additionally, the examiner relies on admitted prior art [APA] disclosed at pages 1-2 of the instant specification.

Claims 1 through 54 stand rejected under 35 U.S.C. § 103 as unpatentable over APA in view of Stefik and Smith.

Reference is made to the brief and answer for the respective positions of appellant and the examiner.

OPINION

We reverse.

Each of the independent claims but for claim 41, requires, in one form or another, the drawing of a “line” on the display device between the representations of all conference participants and their respective pointer icons except for the representation of a viewing participant and that participant’s pointer icon. While claim 41 does not specifically call for a “line,” even this claim includes the concept

in its recitation of “displaying a pointer arrow on the display device of the first workstation from the display device representation of the button pressing conference participant to the determined display pointer icon location of the button pressing conference participant.”

The examiner cites the APA recitation of “conference participants should be able to associate a pointer with its corresponding user” [page 2-specification] as fairly suggesting a lead or line between the pointer and identifying means [see page 3 of the answer]. The examiner further explains, at page 4 of the answer, that since “[t]o associate” means “to connect,” this recitation by APA is fairly suggestive of a line between a representation of a participant and a pointer.

We disagree. The mere fact that the prior art was aware of some association of a pointer with its corresponding user in no way suggests the specific “line” claimed. An “association” may take the form of different colors, control of the pointer by only one user at a time, etc. We find no disclosure or suggestion, from the prior art “association,” that such an “association” should include a line drawn between the representations of all conference participants and their respective pointer icons except for the representation of a viewing participant and that participant’s pointer icon. The only suggestion for such a line comes from appellant’s own disclosure.

The examiner attempts to buttress his position by citing Stefik for the proposition that a user can benefit from knowing the state of activities of other users even when the first user is not engaged in activities with those other users. While this is a fair teaching that all participants in a workstation conferencing environment might wish to be aware of others' activities, there is clearly no teaching or suggestion of the specific means, i.e. a "line" between the representation of conference participants and their respective pointer icons, recited in the instant claims.

Finally, the examiner relies on Smith which discloses an icon in the shape of a human hand with the name of a conference participant associated therewith. While Smith may provide a very general teaching of identifying a particular icon as being associated with a particular user, there is no "line" suggested and neither Smith nor Stefik provides for the deficiency noted supra with regard to APA. We disagree with the examiner when he states, at page 3 of the answer, that "[i]n view of Smith..., a line as claimed is suggested." No such "line" is suggested by any one of the applied references or by any combination thereof.

The examiner's decision rejecting claims 1 through 54 under 35 U.S.C. § 103 is reversed.

REVERSED

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Application 08/425,309

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Administrative Patent Judge)
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